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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Confirmation No. 2606**
Satoshi WANEZAKI et al. : Attorney Docket No. 2005_0999A
Serial No. 10/540,065 : Group Art Unit 1794
Filed June 22, 2005 : Examiner Anthony J. Weier
COMPOSITION CONTAINING HIGH : Mail Stop AMENDMENT
CONCENTRATION OF ISOFLAVONE AND
HAVING HIGH SOLUBILITY AND PROCESS
FOR PRODUCING THE SAME

PATENT OFFICE FEE TRANSMITTAL FORM

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Attached hereto is a check in the amount of **\$140.00** to cover Patent Office fees relating to filing the following attached papers:

Terminal Disclaimer \$140.00

The Commissioner is authorized to charge any deficiency or to credit any overpayment associated with this communication to Deposit Account No. 23-0975, with the EXCEPTION of deficiencies in fees for multiple dependent claims in new applications.

Respectfully submitted,

Satoshi WANEZAKI et al.

By Andrew B. Freistein
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January 16, 2009

[Check No. 88935]
2005_0999A



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TERMINAL DISCLAIMER UNDER 37 CFR 1.321

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The owner, FUJI OIL COMPANY, LIMITED, of 100% interest in the instant application, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 USC 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on co-pending U.S. Application Number 10/559,730, filed December 7, 2005 and co-pending U.S. Application Number 10/507,637, filed September 14, 2004. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the co-pending applications are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon grantee, its successors or assigns. 01/21/2009 SZEWDIE1 00000030 10540065

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 USC 154 to 156 and 173 of any patent granted on the co-pending applications, as shortened by any terminal disclaimer filed prior to the patent grant, in the event

that any such granted patent: expires for failure to pay a maintenance fee; is held unenforceable; is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321; has all claims cancelled by a reexamination certificate; is reissued; or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

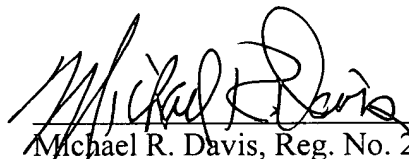
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

☐ The undersigned is empowered to act on behalf of the organization.

☒ The undersigned is an attorney of record.

January 16, 2009

By:


Michael R. Davis, Reg. No. 25,134

Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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